

## Coast Guard, DHS

## § 20.102

### Subpart G—Hearings

- 20.701 Standard of proof.
- 20.702 Burden of proof.
- 20.703 Presumptions.
- 20.704 Scheduling and notice of hearings.
- 20.705 Failure to appear.
- 20.706 Witnesses.
- 20.707 Telephonic testimony.
- 20.708 Witnesses' fees.
- 20.709 Closing of the record.
- 20.710 Proposed findings, closing arguments, and briefs.

### Subpart H—Evidence

- 20.801 General.
- 20.802 Admissibility of evidence.
- 20.803 Hearsay evidence.
- 20.804 Objections and offers of proof.
- 20.805 Proprietary information.
- 20.806 Official notice.
- 20.807 Exhibits and documents.
- 20.808 Written testimony.
- 20.809 Stipulations.

### Subpart I—Decisions

- 20.901 Summary decisions.
- 20.902 Decisions of the ALJ.
- 20.903 Records of proceedings.
- 20.904 Reopening.

### Subpart J—Appeals

- 20.1001 General.
- 20.1002 Records on appeal.
- 20.1003 Procedures for appeal.
- 20.1004 Decisions on appeal.

### Subpart K—Finality, Petitions for Hearing, and Availability of Orders

- 20.1101 Finality.
- 20.1102 Petitions to set aside decisions and provide hearings for civil penalty proceedings.
- 20.1103 Availability of decisions.

### Subpart L—Expedited Hearings

- 20.1201 Application.
- 20.1202 Filing of pleadings.
- 20.1203 Commencement of expedited hearings.
- 20.1205 Motion for return of temporarily suspended merchant mariner credential, license, certificate of registry, or document.
- 20.1206 Discontinuance of expedited hearings.
- 20.1207 Pre-hearing conferences.
- 20.1208 Expedited hearings.

- 20.1209 Appeals of ALJ's decisions.

### Subpart M—Supplementary Evidentiary Rules for Suspension and Revocation Hearings

- 20.1301 Purpose.
- 20.1303 Authentication and certification of extracts from shipping articles, logbooks, and the like.
- 20.1305 Admissibility and weight of entries from logbooks.
- 20.1307 Use of judgments of conviction.
- 20.1309 Admissibility of respondents' criminal records and records with the Coast Guard before entry of findings and conclusions.
- 20.1311 Admissions by respondent.
- 20.1313 Medical examination of respondents.
- 20.1315 Submission of prior records and evidence in aggravation or mitigation.

AUTHORITY: 33 U.S.C. 1321; 42 U.S.C. 9609; 46 U.S.C. 7701, 7702; Department of Homeland Security Delegation No. 0170.1, para. 2(73).

SOURCE: CGD 98-3472, 64 FR 28062, May 24, 1999, unless otherwise noted.

## Subpart A—General

### § 20.101 Scope.

Except as otherwise noted, the rules of practice, procedure, and evidence in this part apply to the following subjects of administrative proceedings before the United States Coast Guard:

(a) Class II civil penalties assessed under subsection 311(b) of the Federal Water Pollution Control Act (33 U.S.C. 1321(b)(6)).

(b) Class II civil penalties assessed under section 109 of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9609(b)).

(c) Suspensions and revocations conducted under 46 U.S.C. Chapter 77.

### § 20.102 Definitions.

*Administrative Law Judge or ALJ* means any person designated by the Commandant under paragraph 556(b)(3) of the Administrative Procedure Act (APA) (5 U.S.C. 556(b)(3)) to conduct hearings arising under 33 U.S.C. 1321(b); 42 U.S.C. 9609(b); or 46 U.S.C. Chapter 77.

*Chief Administrative Law Judge or Chief ALJ* means the Administrative Law Judge appointed as the Chief Administrative Law Judge of the Coast Guard by the Commandant.